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Senate Condemns Mining Nicaraguan Ports

Administration Tries To Defend Its Position

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The Senate voted overwhelmingly yesterday to condemn U.S. participation in the mining of Nicaraguan harbors, rejecting a last-minute effort by the Reagan administration to defend its position and its program of aid to rebels against the leftist government of Nicaragua.

The 84 to 12 vote, on a non-binding "sense-of-the-Congress" resolution that can have no direct effect on the program, was the first time the Republican-controlled Senate has gone on record in opposition to any aspect of President Reagan's policy in Central America.

"If it is not binding, I can live with it," Reagan said last night at a state dinner for President Salvador Jorge Blanco of the Dominican Republic. "I think there is a great hysteria raised about this whole thing. We are not going to war."

Earlier, a large number of senators from both parties gave a hostile reception to administration officials who came to Capitol Hill to explain the policy. And Sen. Barry Goldwater (R-Ariz.) sent a strongly worded letter of complaint about the mining to CIA Director William J. Casey.

Goldwater, chairman of the Senate Intelligence Committee and a stalwart administration backer, said in the letter that the mining, which has reportedly damaged eight ships from five nations, is "an act of war . . . I don't see how we are going to explain it." A copy of the letter was obtained by The Washington Post.

The Senate vote put that body on record against the use of U.S. funds to "plan, direct, execute or support the mining of the territorial waters of Nicaragua." Sen. Russell B. Long (D-La.) was the only Democrat among the 12 dissenters.

Republicans who voted against the administration included Majority Leader Howard H. Baker Jr. of Tennessee, Minority Whip Ted Stevens of Alaska and Sen. Paul Laxalt of Nevada, a firm friend of Reagan's.

Sen. Edward M. Kennedy (D-Mass.), who sponsored the resolution as an amendment to the administration's tax bill, said afterward that the vote showed "the deep concern all Americans feel about the escalation in Central America and Nicaragua, and the real possibility of American boys dying in the jungles of Central America." Although this is the first expression of such sentiment by the Senate, he said, "There will be more."

Kennedy sponsored a series of unsuccessful efforts last week to eliminate the administration's request for \$21 million to aid the rebels opposing the Nicaragua government and to cut its emergency request for \$62 million in military help for the government of El Salvador.

The appropriations measure carrying both provisions passed the Senate virtually unscathed, but House Speaker Thomas P. (Tip) O'Neill Jr. (D-Mass.) said yesterday that it will not pass the House before its Easter recess begins Friday.

Administration sources, who have insisted the aid is needed right away in El Salvador to keep that country's army from running out of supplies, said a decision would be made today on whether to use emergency funding authority to provide the money or to ask the House and Senate appropriations subcommittees to provide it by reprogramming money allocated to other nations. "We can't wait any longer," one source said.

The administration tried throughout the day to respond to a frenetic week of news and leaked

reports about U.S. actions and plans in Central America, and to concerns from members of Congress that they had not been kept informed.

The White House issued an unusual three-page statement from Secretary of State George P. Shultz, Defense Secretary Caspar W. Weinberger, CIA Director William J. Casey and the president's assistant for national security affairs, Robert C. McFarlane.

"We state emphatically that we have not considered, nor have we developed plans to use U.S. military forces to invade Nicaragua or any other Central American country," the statement said.

Citing "longstanding obligations under the Rio Treaty, our treaty obligations to defend the Pan-

ama Canal or military contingency plans for disaster relief, humanitarian assistance or emergency evacuations," the statement acknowledged that "For over a generation, as prudence would dictate, we have maintained and updated plans for these contingencies. We have not, however, planned to use our forces to invade any country in the region."

The New York Times reported Sunday that "contingency plans are being drawn for the possible use of U.S. combat troops in Central America" if leftist forces cannot be defeated by current strategy. In another article yesterday The Times said the new contingency plans are political ones and that military plans have not yet been fully drawn up. The word "invasion" was not used.

The White House statement also denied plans for "a post-election military enterprise in Central America," apparently referring to a Washington Post article yesterday that reported that a senior administration official had said Reagan "is determined to go all out to gain the upper hand" over

leftists in Central America after the November election, assuming that Reagan is returned to office. The mining is viewed as "a holding action" until that time, the story said.

The statement also insisted that "all U.S. activities in the Central American region have been fully briefed in detail to the committees of the Congress which exercise jurisdiction in full compliance with the law."

Goldwater's letter to Casey disputed that. "It gets down to one, little, simple phrase: I am pissed off," he wrote. "Bill, this is no way to run a railroad . . . The president has asked us to back his foreign policy. Bill, how can we back his foreign policy when we don't know what the hell he is doing?"

Goldwater's letter predicted that the House will defeat the measure containing funds for the Nicaraguan rebels, known as "contras," "and we will not be in any position to put up much of an argument after we were not given the information we were entitled to receive . . . when you briefed us on Central America just a couple of weeks ago."

Goldwater continued, "I don't like this. I don't like it one bit from the president or from you." He promised that "in the future, if anything like this happens, I'm going to raise one hell of a lot of fuss about it in public."

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